

**IN THE UNITED STATES BANKRUPTCY COURT
FOR THE NORTHERN DISTRICT OF ILLINOIS
EASTERN DIVISION**

IN RE:)
) CASE NO. 23-04405
 Jesse Colbert) Hon. David D. Cleary
) CHAPTER 13
 DEBTOR.)

NOTICE OF MOTION

TO: Marilyn O. Marshall, Chapter 13 Trustee, 224 S. Michigan STE 800, Chicago, IL 60604; via electronic court notice.

See the attached Service List.

Please take notice that on April 10, 2023, at 1:30 a.m., I will appear before the Honorable David D. Cleary, or any judge sitting in that judge's place, either in courtroom 644 of the Everett McKinley Dirksen United States Courthouse, 219 S. Dearborn Street, Chicago, IL 60604, or electronically as described below, and present the motion to impose automatic stay, a copy of which is attached.

All parties in interest, including the movant, may appear for the presentment of the motion either in person or electronically using Zoom for Government.

You may appear electronically by video or by telephone.

To appear by video, use this link: <https://www.zoomgov.com/>. Then enter the meeting ID and password.

To appear by telephone, call Zoom for Government at 1-669-254-5252 or 1-646-8287666. Then enter the meeting ID and password.

Meeting ID and password. The meeting ID for this hearing is 161 122 6457 and the password is Cleary644. The meeting ID and password can also be found on Judge Cleary's webpage on the court's website, <https://www.ilnb.uscourts.gov/content/judgedavid-d-cleary>.

If you object to this motion and want it called on the presentment date above, you must file a Notice of Objection no later than two (2) business days before that date. If a Notice of Objection is timely filed, the motion will be called on the presentment date. If no Notice of Objection is timely filed, the court may grant the motion in advance without a hearing.

CERTIFICATE OF SERVICE

The undersigned, an attorney, certifies that he served a copy of this notice and the attached motion, on each entity shown on the attached list at the address shown and by the method indicated on the list on April 3, 2023, via U.S. Mail with postage prepaid from the mailbox located at 10258 S Western Avenue, Suite 210A, Chicago IL 60643

/s/ Steve Miljus

Feldman Garcia Leshinsky & Miljus, LLC
10258 S Western Avenue, Suite 210A
Chicago IL 60643
(312) 248-2781
smiljus@fglmlawgroup.com

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Label Matrix for local noticing U.S. Bankruptcy Court Page 3 of 6
0752-1 Document Acima Credit
Case 23-04405 Eastern Division 9815 South Monroe Street
Northern District of Illinois 219 S Dearborn 4th Floor
Eastern Division 7th Floor Sandy, UT 84070-4384
Mon Apr 3 13:26:05 CDT 2023 Chicago, IL 60604-1702

Americash Loans, LLC (p)ANDIGO CREDIT UNION Aurora Medical Group
PO Box 1728 1501 E WOODFIELD ROAD SUITE 400W PO BOX 1123
Des Plaines, IL 60017-1728 SCHAUMBURG IL 60173-5419 Minneapolis, MN 55440-1123

Commonwealth Edison Company Bankrup Consumers Credit Union Dr Leonards/Carol Wright
1919 Swift Drive Attn: Bankruptcy 1112 7th Ave.
Oak Brook, IL 60523-1502 1075 Tri-State Parkway, #850 Monroe, WI 53566-1364
Gurnee, IL 60031-9182

First Citizens Bank First Premier Bank Flagship Credit Acceptance
4000 West Brown Deer Road Attn: Bankruptcy Attn: Bankruptcy
Milwaukee, WI 53209-1221 Po Box 5524 Po Box 965
Sioux Falls, SD 57117-5524 Chadds Ford, PA 19317-0643

IC Systems IRS Illinois Tollway
PO Box 64378 PO Box 7346 PO BOX 5544
Saint Paul, MN 55164-0378 Philadelphia, PA 19101-7346 Chicago, IL 60680-5491

(p)JEFFERSON CAPITAL SYSTEMS LLC LJ Ross & Associates Midnight Velvet
PO BOX 7999 4 Universal Way, Po Box 6099 PO BOX 740933
SAINT CLOUD MN 56302-7999 Jackson, MI 49204-6099 Dallas, TX 75374-0933

Pinnacle Service Solutions (p)S A I L LCC Seventh Avenue
4408 Milestrip Rd #247 BANKRUPTCY DEPARTMENT 1112 7th Avenue
Buffalo, NY 14219-2553 2400 E DEVON AVE SUITE 300 Monroe, WI 53566-1364
DES PLAINES IL 60018-4600

Total Visa/The Bank of Missouri Jesse Colbert Marilyn O Marshall
Attn: Bankruptcy 924 Garden Lane 224 South Michigan Ste 800
Po Box 85710 Homewood, IL 60430-2046 Chicago, IL 60604-2503
Sioux Falls, SD 57118-5710

Patrick S Layng Steve Miljus
Office of the U.S. Trustee, Region 11 Feldman Garcia Leshinsky & Miljus LLC
219 S Dearborn St 10258 S Western Avenue
Room 873 Ste 210a Chicago, IL 60643-1948
Chicago, IL 60604-2027

Andigo Cu
1501 E. Woodfield Road
Schaumburg, IL 60173

End of Label Matrix

Mailable recipients	25
Bypassed recipients	0
Total	25

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MOTION TO IMPOSE AUTOMATIC STAY

Jesse Colbert, the Debtor, represented by Feldman Garcia Leshinsky & Miljus, LLC (FGLM), hereby files a Motion to Impose Automatic Stay, and states the following:

1. On March 31, 2023 ("Petition Date"), the debtor filed a Petition for Relief under Chapter 13 of the United States Bankruptcy Code, and the court has not yet confirmed the Debtor's plan.
2. The Debtor has previously filed two Chapter 13 cases. The first case, 22-07920, was filed on July 15, 2022, and voluntarily dismissed on December 20, 2022. The second case, 22-14715, was filed on December 21, 2022, and dismissed on February 13, 2023, due to unreasonable delay (see attached Exhibit A, the Debtor's Affidavit, and Exhibit B, the Debtor's Schedule I & J from case 22-14715).
3. Specifically, the second case was dismissed because the Debtor failed to attend his 341 meeting of creditors.
4. The Debtor did not provide the Trustee with the necessary documents after filing the case, which prevented the 341 meeting of creditors from being held.
5. In the current case, the Debtor has provided all necessary documents to his attorney to ensure the 341 meeting of creditors will be held.
6. Additionally, the Debtor is receiving a pension from the Laborers Annuity and Benefit Fund of Chicago and has sufficient income to fund the proposed Chapter 13 Plan as

demonstrated in the attached Schedule I & J (see attached Exhibit C, Debtor's Schedule I & J in this case).

7. The Debtor has retained new counsel to administer the Chapter 13 case.
8. The Debtor filed this case in good faith, intends to complete his Chapter 13 Plan, and requests this Honorable Court impose the automatic stay pursuant to Section 362 (c)(4)(A).

The Debtor moves this Court for the following relief:

- A. This Honorable Court impose the Automatic stay; and
- B. For such other and further relief as the Court deems fair and proper.

Respectfully Submitted,

/s/ Steve Miljus
Feldman Garcia Leshinsky & Miljus, LLC
10258 S Western Avenue, Suite 210A
Chicago IL 60643
(312) 248-2781
smiljus@fglmlawgroup.com